

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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JOSEPH S. RICHARDS,  
Plaintiff-Appellee,

v

MARY E. RICHARDS,  
Defendant-Appellant.

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UNPUBLISHED  
January 24, 2003

No. 235836  
Macomb Circuit Court  
LC No. 99-004924-DO

Before: Cooper, P.J., and Bandstra and Talbot, JJ.

COOPER, P.J. (*dissenting*).

I respectfully dissent from the opinion of my colleagues.

Without testimony regarding the parties' intent when they entered into the consent judgment of divorce, the trial court was without a sufficient factual basis to make a finding of mutual mistake.

I would reverse the findings of the trial court.

/s/ Jessica R. Cooper